

MESSAGE NO: 1006303

MESSAGE DATE: 01/06/2011

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-583-837

EFFECTIVE DATE: 12/21/2001

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM TAIWAN (A-583-837)

THESE INSTRUCTIONS CONSTITUTE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED SCOPE RULING REQUESTS FROM NAN YA PLASTICS CORPORATION, LTD. AND FROM HOP INDUSTRIES CORPORATION. COMMERCE ISSUED A FINAL SCOPE RULING ON 12/22/2010, THAT AMORPHOUS POLYETHYLENE TEREPHTHALATE (APET) PRODUCTS THAT ARE NOT BIAXIALY-ORIENTED ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM TAIWAN (A-583-837).

2. COMMERCE DETERMINED THAT ALL APET PRODUCTS THAT ARE NOT BIAXIALY-ORIENTED ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM TAIWAN. EXAMPLES OF IMPORTED APET PRODUCTS THAT ARE NOT BIAXIALY-ORIENTED INCLUDE, BUT ARE NOT LIMITED TO: (1) APET PRODUCTS THAT ARE USED TO MAKE RIGID PLASTIC PACKAGING FOR BLISTERPACKS AND CLAMSHELLS FOR A VARIETY OF CONSUMER GOODS AND FOOD PRODUCTS, SUCH AS DISPLAY PACKAGING FOR HARDWARE PRODUCTS, TOYS, CASSETTES AND OTHER ITEMS FOR TYPICAL CONSUMER HOME USES; (2) APET PRODUCTS MADE FROM VIRGIN POLYMER RESIN WHICH ARE DESIGNED FOR PRINTING APPLICATIONS IN THE FOLDED BOX INDUSTRY; AND (3) APET KNOWN AS "PETG" (GLYCOL-MODIFIED POLYETHYLENE TEREPHTHALATE SHEET) AND "GAG SHEET" (CO-EXTRUDED APET SHEET WITH PETG SHEETS ON ITS OUTER SURFACES). THE ABOVE-REFERENCED PRODUCTS ARE ONLY EXAMPLES OF APET PRODUCTS THAT ARE NOT BIAXIALY-ORIENTED, AND COMMERCE IS NOT LIMITING ITS SCOPE RULING TO THESE PRODUCTS.

3. EFFECTIVE 12/21/2001, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF APET PRODUCTS THAT ARE NOT BIAXIALY-ORIENTED, AS DESCRIBED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO APET PRODUCTS THAT ARE NOT BIAXIALLY-ORIENTED, AS DESCRIBED ABOVE.
5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF APET PRODUCTS THAT ARE NOT BIAXIALLY-ORIENTED ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/21/2001.
6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OF ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.
7. FOR ALL OTHER SHIPMENTS OF POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP FROM TAIWAN NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.
8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O6:GC).
9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party